

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

WESTERN DIVISION

ESTATE OF JOSE R. FELICIANO,)
By and through Jose L. Feliciano and)
Migdalia Rosado, as Administrators of)
The Estate of Jose R Feliciano,)
Plaintiff)

vs.)

Civil No. 03-30.308-MAP

KEVIN A. MILES,)
LEROY HOLDING COMPANY, INC.,)
and SLC TRANSPORTS, INC.,)
Defendants)

STIPULATION OF UNCONTESTED FACTS

1. Defendant Kevin Miles resides at 311 Seminole Street, Troy, New York.
2. The Plaintiff, the Estate of Jose R. Feliciano, is an estate established in the Hampden County Probate Court, Springfield, Hampden County, Massachusetts, on behalf of Jose R. Feliciano formerly of Springfield, Massachusetts.
3. The Administrators of the Estate of Jose R. Feliciano are his father, Jose L. Feliciano, and his mother Migdalia Rosado, both of Springfield, Hampden County, Massachusetts.
4. In June 2001, Jose R. Feliciano graduated from Roger L. Putnam Vocational High School in Springfield, Massachusetts.
5. On the morning of February 11, 2003, Jose R. Feliciano was nineteen (19) years old and had a life expectancy of fifty-nine (59) more years, or until age seventy-eight (78) in accordance with the National Vital Statistics Reports, Volume 53, Number 6, November 10, 2004 which reports the CDC's United States Life Tables, 2002.
6. Jose L. Feliciano is forty-eight (48) years old and has a life expectancy of thirty-one (31) more years or until age seventy-nine (79) in accordance with the National Vital Statistics Reports, Volume 53, Number 6, November 10, 2004 which reports the CDC's United States Life Tables, 2002.
7. Migdalia Rosado is forty-two (42) years old and has a life expectancy of thirty-seven (37) more years or until age seventy-nine (79) in accordance with the National Vital Statistics Reports, Volume 53, Number 6, November 10, 2004 which reports the CDC's United States Life Tables, 2002.

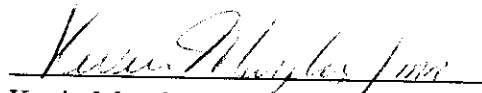
8. On February 11, 2003, Defendant Kevin Miles was employed by Defendant SLC Transports, Inc.
9. On February 11, 2003, Defendant Kevin Miles was acting within the scope of his employment with Defendant SLC Transports, Inc.
10. Defendant SLC Transports, Inc. is a corporation organized under the laws of the State of New York, with a usual place of business at 29 Mill Street, Albany, New York.
11. On February 11, 2003, Defendant SLC Transports, Inc. was lessee of a 1997 Volvo tractor trailer, further identified by New York registration number 24413PA and vehicle identification number 4VGWDADF8VN741291 (hereinafter referred to as the "tractor"), and the lessee of a 1998 trailer further identified by Maine registration number 0660250 and vehicle identification number 1GRAA9628SB015606 (hereinafter referred to as the "trailer").
12. Defendant LEROY HOLDING COMPANY, INC. is a corporation organized under the laws of the State of New York, with a usual place of business at 20 North Street, Albany, New York 12204, and was the owner of a 1997 Volvo tractor trailer, further identified by New York registration number 24413PA and vehicle identification number 4VGWDADF8VN741291 (hereinafter referred to as the "tractor"), and the owner of a 1998 trailer further identified by Maine registration number 0660250 and vehicle identification number 1GRAA9628SB015606 (hereinafter referred to as the "trailer").
13. At approximately 11:10 a.m. on February 11, 2003, Defendant Kevin Miles was operating the tractor trailer leased by SLC Transports, Inc. and owned by Leroy Holding Company, Inc. eastbound on Interstate 90 in Sturbridge, Massachusetts.
14. On the morning of February 11, 2003, Jose R. Feliciano was operating a 1996 Crown Victoria which was owned by his father, Jose L. Feliciano.

The Plaintiff
Estate of Jose R. Feliciano
By Its Attorneys



Samuel M. Radner, Esq.
The Haymond Law Firm, P.C.
999 Asylum Avenue
Hartford, CT 06105
(860) 728-5672
BBO # 565988

The Defendants
**Kevin Miles, SLC Transport, Inc.,
Leroy Holding Company**
By Their Attorneys



Kevin Murphy, Esq.
Pessalano, Dusel, Murphy & Carsartello, P.C.
115 State Street, Fifth Floor
Springfield, MA 01103
(413) 781-4700
BBO # 363110